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United States Nominates WTO Appellate Body Candidates

WASHINGTON - U.S. Trade Representative Robert B. Zoellick today announced that the United States has nominated two candidates for a position on the Appellate Body of the World Trade Organization.

AI am pleased that Ms. Janow and Mr. Lighthizer have agreed to be considered for this important position,@said Zoellick. AI believe either one would contribute significantly to the vital work of the Appellate Body in helping countries resolve trade disputes.@"

The candidates are Ms. Merit Janow and Mr. Robert Lighthizer.

Ms. Janow, who received her law degree from Columbia University, is currently a law professor at Columbia University teaching advanced graduate courses in international trade law and law of the WTO. She has served as a panelist in a WTO dispute, was a practicing lawyer, and is a former Deputy Assistant U.S. Trade Representative.

Mr. Lighthizer, who received his law degree from Georgetown University, is a practicing trade lawyer who has negotiated numerous international trade agreements while he was a Deputy United States Trade Representative. He has also served as chief of staff of the United States Senate Committee on Finance.

Under the Dispute Settlement Understanding negotiated in the Uruguay Round, when countries are unable to resolve trade disputes bilaterally, they may refer the dispute to panels composed of neutral persons from other countries. Those panels issue reports to the parties with their findings in the dispute. The Appellate Body is responsible for hearing appeals of legal issues in the panel reports. The original seven members of the Appellate Body were appointed in 1995. Of the original members, only Mr. James Bacchus of the United States remains, and Mr. Bacchus= term expires this year creating a vacancy on the Appellate Body.

Background

The Appellate Body consists of seven persons, each of whom serves a 4-year term with the possibility of one additional term. Under WTO rules, the Appellate Body members are to be Apersons of

recognized authority, with demonstrated expertise in law, international trade and the subject matter of the WTO agreements generally. They are to be unaffiliated with any government.

Currently the other 6 members are from Australia, Brazil, Egypt, the European Communities, India, and Japan.

Nominations were due in Geneva on September 5. Pursuant to its established practice, the WTO has established a selection committee to review candidates nominated for the Appellate Body. The selection committee consists of the chairpersons of key WTO committees. They will interview the candidates and make their recommendations to the WTO membership as a whole. The selection committee has indicated it intends to make its recommendation by October 24. The WTO Members will then decide by consensus on the appointment. The Dispute Settlement Body makes the decision, and it is scheduled to decide by November 7.

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